

2011 SESSION

INTRODUCED

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**HOUSE BILL NO. 1488**

Offered January 12, 2011

Prefiled December 13, 2010

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 53.1 a section numbered 53.1-1.1:1, relating to pregnant prisoners; use of restraints.*

Patrons—Hope and Abbott

Referred to Committee on Militia, Police and Public Safety

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 1 of Chapter 1 of Title 53.1 a section numbered 53.1-1.1:1 as follows:**

*§ 53.1-1.1:1. Restraint of certain prisoners.*

*No state, regional, local, or juvenile correctional facility shall use restraints on any prisoner who is pregnant during labor, transport to a medical facility, delivery, or postpartum recovery unless the warden, superintendent, or jailor finds there is a compelling reason to believe that the prisoner poses serious harm to herself or others, is a flight risk, or cannot be reasonably restrained by other means. Such facility shall use the least restrictive restraints necessary on any inmate in the second or third trimester of pregnancy.*

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